

Indiana State Ethics Rules on Using State Stationery

State stationery is to be used only for official state business. There must be a reasonable connection between your official duties and the purpose of using official stationery.

Basic Rule

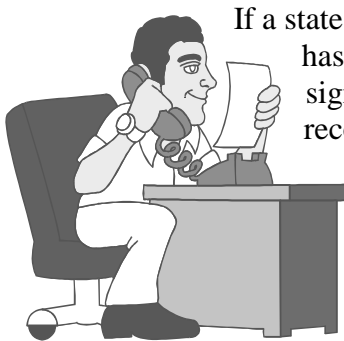
An employee is permitted to use state stationery for official state business. (See 40 IAC 2-1-9(f), which says a state employee shall not use state materials for any purpose other than for official state business unless the use is expressly permitted by a written agency policy or regulation. “State materials” include state stationery.) To qualify as “official state business,” there must be a reasonable connection between the employee’s official duties and the use and purpose of the letter.



Letters of Recommendation

Included in official state business are letters to recommend a current or former state employee for another position, for admission to a school, or for acceptance in a program. A state employee may write a letter of recommendation or a character reference on state stationery only when:

- the reference is based upon personal knowledge of the ability or character of an individual the employee has worked with in the course of state employment or
- the employee is recommending the individual for state employment.



If a state employee is asked to recommend a personal friend with whom the employee has not dealt in state employment, the employee should not use state stationery or sign the letter of recommendation using an official title, unless the recommendation is for state employment.

Employees must also take care not to misuse their authority when being asked for recommendations. For example, an employee should not make recommendations to contractors or licensees over whom the employee exercises state authority.

Endorsement and/or Promotion

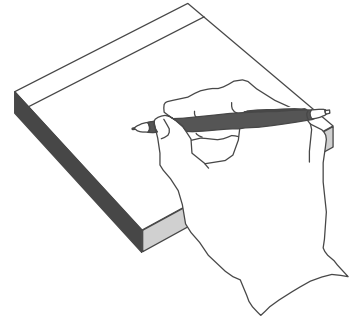
Generally, state employees are not permitted to write letters on state stationery endorsing or promoting any product, service, or business. A state employee would not be permitted to write a letter on state stationery recommending a particular vendor to someone outside of state government. A state agency might be permitted to provide to the public a list of vendors in a particular field as long as the agency takes measures to ensure the list is compiled fairly and one vendor is not recommended to the exclusion of others. A state employee would not be permitted to write a letter on state stationery endorsing a particular computer company or giving permission for the employee’s official title to be used in a computer

company's endorsement. State stationery should not be used to promote or endorse a candidate for elective office.

Some state employees' official duties include encouraging the development of Indiana products, services and businesses. For example, part of the mission of the Department of Commerce is to promote products, services and businesses in Indiana. These state employees will be permitted to use official stationery in furtherance of their statutory authority.

Documenting Compliance or Good Service

A state employee is permitted to write letters on state stationery to document compliance with agency requirements or standards or completion of a project.



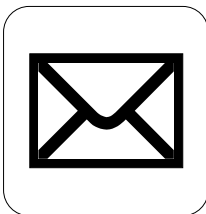
Personal Opinions

State employees may not use state stationery or their official title when expressing a personal opinion, as opposed to acting in an official capacity, on a matter. For example, a state employee may not send on state stationery a letter to the editor of a newspaper expressing a personal opinion.

Furthering Personal Financial Interests

State employees may not use state stationery to further their own financial interests. For example, a state employee would not be permitted to use state stationery to solicit investors for a real estate venture the employee's spouse is undertaking. Nor would an employee be permitted to use state stationery to write a contractor demanding a refund or reduction in the cost of private work done for the employee or to enclose a resume while seeking employment outside of state government.

Personal Stationery with State Logo, Agency Information, or Title



The Ethics Commission has determined that the use of personal stationery imprinted with the state logo, agency information, or official title is not permitted by state employees. Even though personal stationery might not be considered state materials or property, use of stationery with the state logo, agency information, or the employee's title might create an impression that the employee is acting in an official capacity.

Agency's Own Rules

In addition to complying with the State Ethics Commission's policy, employees should consult their own agency's policy. Some agencies have their own policies, procedures and guidelines regarding use of state stationery and official title. As with all of the ethics statutes and rules, when in doubt, consult the State Ethics Commission.